

# Exhibit 17

Deposition of Sean Shelby

(April 12, 2017)

(excerpted)

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON )  
FITCH, on behalf of )  
themselves and all others )  
similarly situated, )  
)  
Plaintiffs, )  
)  
vs. ) Case No.  
) 2:15-cv-01045-RFB-(PAL)  
)  
ZUFFA, LLC, d/b/a Ultimate )  
Fighting Championship and )  
UFC, )  
)  
Defendant. )  
\_\_\_\_\_  
)

CONFIDENTIAL

VIDEOTAPED DEPOSITION OF SEAN SHELBY

Las Vegas, Nevada

April 12, 2017

9:11 a.m.

Reported By:  
Gale Salerno, RMR, CCR No. 542  
Job No. 49972

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1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]
4	[REDACTED]	BY MR. MADDEN:
5	[REDACTED]	<b>Q. And fighters carry their own costs of</b>
6	[REDACTED]	<b>hiring coaches?</b>
7	[REDACTED]	MR. WIDNELL: Objection. Form.
8	[REDACTED]	THE WITNESS: Again, I don't know how that
9	[REDACTED]	end works for the majority of it. I'm sure some do.
10	[REDACTED]	BY MR. MADDEN:
11	[REDACTED]	<b>Q. Does Zuffa pay it? Pay coaches for</b>
12	[REDACTED]	<b>fighters?</b>
13	[REDACTED]	MR. WIDNELL: Objection. Form.
14	[REDACTED]	THE WITNESS: Not to my knowledge.
15	[REDACTED]	BY MR. MADDEN:
16	[REDACTED]	<b>Q. Does Zuffa pay for nutritionists for</b>
17	[REDACTED]	<b>fighters?</b>
18	[REDACTED]	MR. WIDNELL: Objection. Form.
19	[REDACTED]	THE WITNESS: There was only once where, my
20	[REDACTED]	understanding is that a nutritionist was paid for.
21	[REDACTED]	BY MR. MADDEN:
22	[REDACTED]	<b>Q. And is that the case of Chris Justino?</b>
23	[REDACTED]	[REDACTED]
25	[REDACTED]	
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1	[REDACTED]	BY MR. MADDEN:
2	[REDACTED]	<b>Q. There have been isolated instances where</b>
3	[REDACTED]	<b>the UFC has given a fighter money for training?</b>
4	[REDACTED]	MR. WIDNELL: Objection. Foundation.
5	[REDACTED]	THE WITNESS: There may have.
6	[REDACTED]	BY MR. MADDEN:
7	[REDACTED]	<b>Q. Have fighters asked you for training costs?</b>
8	[REDACTED]	MR. WIDNELL: Objection. Form.
9	[REDACTED]	THE WITNESS: I can't remember. There
10	[REDACTED]	might have been.
11	[REDACTED]	BY MR. MADDEN:
12	[REDACTED]	<b>Q. When you negotiate contracts with fighters,</b>
13	[REDACTED]	<b>do they ask for payments for their training?</b>
14	[REDACTED]	MR. WIDNELL: Objection. Form.
15	[REDACTED]	THE WITNESS: Generally, no.
16	[REDACTED]	BY MR. MADDEN:
17	[REDACTED]	<b>Q. For their gym memberships?</b>
18	[REDACTED]	A. Gym membership? I don't think I've heard
19	[REDACTED]	that one. Maybe, but you know, that's a separate
20	[REDACTED]	specific thing.
21	[REDACTED]	<b>Q. So generally fighters would pay for their</b>
22	[REDACTED]	<b>own gym memberships?</b>
23	[REDACTED]	MR. WIDNELL: Objection. Form.
24	[REDACTED]	THE WITNESS: I don't know generally. I
25	[REDACTED]	mean, I'm not sure how the fighter works out his deal
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1	[REDACTED]	with the trainers or the gyms. In some cases they
2	[REDACTED]	own their own gyms. So they come and they fight in
3	[REDACTED]	the UFC and it elevates their gym, so...
4	[REDACTED]	BY MR. MADDEN:
5	[REDACTED]	<b>Q. And fighters carry their own costs of</b>
6	[REDACTED]	<b>hiring coaches?</b>
7	[REDACTED]	MR. WIDNELL: Objection. Form.
8	[REDACTED]	THE WITNESS: Again, I don't know how that
9	[REDACTED]	end works for the majority of it. I'm sure some do.
10	[REDACTED]	BY MR. MADDEN:
11	[REDACTED]	<b>Q. Does Zuffa pay it? Pay coaches for</b>
12	[REDACTED]	<b>fighters?</b>
13	[REDACTED]	MR. WIDNELL: Objection. Form.
14	[REDACTED]	THE WITNESS: Not to my knowledge.
15	[REDACTED]	BY MR. MADDEN:
16	[REDACTED]	<b>Q. Does Zuffa pay for nutritionists for</b>
17	[REDACTED]	<b>fighters?</b>
18	[REDACTED]	MR. WIDNELL: Objection. Form.
19	[REDACTED]	THE WITNESS: There was only once where, my
20	[REDACTED]	understanding is that a nutritionist was paid for.
21	[REDACTED]	BY MR. MADDEN:
22	[REDACTED]	<b>Q. And is that the case of Chris Justino?</b>
23	[REDACTED]	[REDACTED]
25	[REDACTED]	
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1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]
18	[REDACTED]	<b>Q. Does the UFC compensate sparring partners</b>
19	[REDACTED]	<b>for fighters?</b>
20	[REDACTED]	MR. WIDNELL: Objection. Form.
21	[REDACTED]	THE WITNESS: Not to my knowledge.
22	[REDACTED]	BY MR. MADDEN:
23	[REDACTED]	<b>Q. Does the UFC pay for, or does Zuffa pay</b>
24	[REDACTED]	<b>for health insurance for fighters who are out of</b>
25	[REDACTED]	<b>competition?</b>

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<p style="text-align: right;">134</p> <p>1       MR. WIDNELL: Objection. Foundation. 2       THE WITNESS: I wouldn't know. It's out of 3       my realm. 4       BY MR. MADDEN: 5       <b>Q. Prior to 2015, were fighters responsible</b> 6       <b>for securing their own sponsorships and endorsements?</b> 7       MR. WIDNELL: Object to the form. 8       THE WITNESS: I don't know. I'm not part 9       of the sponsorship. 10      BY MR. MADDEN: 11      <b>Q. Zuffa doesn't pay employer taxes in</b> 12      <b>connection with their fighter relationships; is that</b> 13      <b>right?</b> 14      MR. WIDNELL: Objection. Form. 15      Foundation. 16      THE WITNESS: I'm not in the finance 17      department. I have no idea. 18      BY MR. MADDEN: 19      <b>Q. Earlier we talked about how part of your</b> 20      <b>job is making contenders.</b> 21      <b>To make a contender, can you describe your</b> 22      <b>role in doing that?</b> 23      MR. WIDNELL: Objection. Misstates. 24      THE WITNESS: I would clarify, I don't 25      really make anything. All you can really do is, you</p>	<p style="text-align: right;">136</p> <p>1       <b>Q. So Zuffa --</b> 2       A. So let me -- so theoretically, you could 3       technically be paying for a fighter when you didn't 4       have to pay that amount of money, and then the 5       fighter moves on and does amazing things. 6       And so the fighter becomes successful, and 7       so technically would that be considered an 8       investment? I suppose so. 9       <b>Q. So what you're saying is because Zuffa</b> 10      <b>compensates fighters who would fight for free for the</b> 11      <b>UFC, that it's an investment?</b> 12      A. No, not necessarily. It's just a general 13      statement. I mean, investing is kind of a change 14      term. But, you know, you're asking my personal 15      opinion, you know, yeah, you could construe it as 16      that. 17      <b>Q. And when you say it, you mean the placement</b> 18      <b>of fighters in events that bear the UFC name?</b> 19      A. No, not necessarily. Listen, there are so 20      many fighters out there. There are more fighters out 21      there right now that could come into the UFC that 22      deserve to be in the UFC just based on talent alone. 23      There's -- I mean, there's hundreds, if not thousands 24      of fighters that should be in the UFC now. 25      Talent-wise, they deserve to be in the UFC.</p>
<p style="text-align: right;">135</p> <p>1       know, you set up a bout between two athletes, you 2       know. And those two are really the ones that figure 3       out, you know, through their actions and care of 4       themselves and how they perform in most cases whether 5       somebody is going to rise to contendership, so to 6       speak or not, you know. 7       BY MR. MADDEN: 8       <b>Q. So would you say that Zuffa invests in</b> 9       <b>fighters?</b> 10      A. Do we invest in fighters? In a roundabout 11      way, I would say we invest in fighters. We invest in 12      the sport. I mean, investments is kind of a strange 13      term, right? But if you ask me my opinion if we 14      invest in fighters, I would say yes. 15      <b>Q. In what way?</b> 16      A. Well, taking a fighter, right? Somebody 17      nobody has ever heard of, a fighter that would call 18      me up and ask to fight for free, which obviously that 19      doesn't happen. Somebody who is completely unknown 20      to anybody, and you take that fighter and you give 21      them an opportunity in the UFC. 22      You're paying them an amount of money to 23      come in, and in a way, yes, that's an investment. 24      You're looking towards the future for not only the 25      UFC, but also for the fighter.</p>	<p style="text-align: right;">137</p> <p>1       But nobody knows who they are yet. They 2       need the platform, right? And so in a way, you can 3       say, you can construe that as, you know, I'm going to 4       bring you in, you're going to get the platform, and 5       we are going to start you at "X" amount of dollars. 6       When technically, you don't really have to, but you 7       do, and that could be considered an investment both 8       ways. 9       <b>Q. Now, those hundreds, if not thousands of</b> 10      <b>fighters that should be in the UFC right now are not</b> 11      <b>in a position to compete for a UFC title at this</b> 12      <b>point, right?</b> 13      MR. WIDNELL: Objection. Form. 14      THE WITNESS: Not in a position to fight? 15      There are fighters, there are really, really good 16      fighters out there right now that the UFC doesn't 17      have. There are really good fighters, really good 18      fighters that can't come to the UFC right now because 19      they simply don't have the space to put them in there 20      and give them the chance to decide whether they're 21      going to fight for a title, one fight, two fights, 22      eight fights, who knows? 23      But the statement is that, yeah, there's 24      plenty of fighters out there that deserve to be in 25      the UFC right now.</p>

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